

B.A.LL.B., (Hons.) DEGREE SEVENTH SEMESTER EXAMINATION, NOVEMBER 2022
INTELLECTUAL PROPERTY RIGHTS: PRINCIPLES AND PRACTICES

Time: 3 Hours

Maximum Marks: 50

Part A

Answer *any three* questions. Each question carries *Ten* marks (3*10 =30 Marks)

- I. Explain the significance of geographical indications in India. How are they protected?
- II. What are industrial designs? Explain their significance in modern commerce, as well as outline the legislative framework of their protection.
- III. Delineate the different categories of information that may be considered as trade secrets. How are they protected in India?
- IV. What do you understand by traditional knowledge? Explain its relevance. What are the mechanisms by which traditional knowledge is protected in India?
- V. Why is the management of the assets of intellectual property assuming greater significance in modern times? Give suitable illustrations to explain your answer.

Part B

Answer *any two* questions. Each question carries **five** marks (2*5 =10 Marks)

- VI. Voluntary License
- VII. Exhaustion of Rights in Intellectual property
- VIII. Bolar Exemption
- IX. The WTO TRIPS Agreement
- X. The Biological Diversity Act, 2002

Part C

Answer *any two* questions. Each question carries **five** marks (2*5 =10 Marks)

- XI. A popular videogame designing firm, Narwhal Plays®, intends to launch a new game to the market. They want to associate with GameStation Inc. so that the same console may be used to play their game as well. In order to do so, they sought licenses from GameStation Inc. who refused. Narwhal Plays® wants to reverse engineer the layout designs of integrated circuits registered by GameStation Inc. in order to facilitate interoperability. Advise GameStation Inc.

- XII. A farmer purchased some vegetable seeds from the company Global Seeds Ltd. She planted them and from the crop, started selling seeds to neighbouring farmers. Discuss whether she is authorized to do so.
- XIII. Certain smart phone manufacturers allege that Standard Essential Patent (SEP) owners in the telecommunication sector have violated FRAND commitments in the terms offered to them as licensees. They claim that the royalties demanded are high and discriminatory, and indicate abuse of dominance in the technology. Advise the manufacturers about potential remedies that they may pursue.
